

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:15-HC-2286-D

DERRICK MARCELLUS MOORE,	)	
	)	
Petitioner,	)	
	)	
	)	
v.	)	RESPONDENT'S MOTION TO DISMISS
	)	
KENNY ATKINSON, WARDEN,	)	
	)	
Respondent.	)	

Respondent, Warden Kenny Atkinson, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits this motion to dismiss for Petitioner's failure to exhaust administrative remedies. In support of the motion, a memorandum of law is being filed herewith.

Respectfully submitted this 5th day of January, 2016.

THOMAS G. WALKER  
United States Attorney

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CERTIFICATE OF SERVICE

I do hereby certify that on this 5th day of January 2016, I have served a copy of the foregoing upon Petitioner's counsel of record by filing the same via the District Court's CM/ECF Document Filing System.

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